

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

COREY REED,

Plaintiff,

**DECLARATION OF
ROBERT SCOTT**

vs.

1:18-CV-01378

HARRY WINSTON, INC.,

Defendant.

Robert Scott, being duly sworn, affirms the truth of the following under the penalties of perjury:

1. I am the Chief Financial Officer of Harry Winston, Inc. ("HWI"). I submit this Declaration in support of HWI's Motion to Dismiss the Class Action Complaint in the above-captioned action.

2. After the lawsuit was filed, HWI had the www.harrywinston.com website (the "HW Website") tested and examined by Access for All Foundation ("AFA"), which I understand engaged in such testing during 2018 and as late as June 18, 2018. The purpose of such testing was to confirm that the HW Website met the WCAG 2.0 AA standard for use by visually-impaired users, including with a screen reader.

3. I have reviewed the June 21, 2018 Declaration of Andreas Uebelbacher of AFA and understand its contents and findings, including with regard to Mr. Uebelbacher's statements about WCAG 2.0 AA and the testing and results by AFA regarding the HW Website.

4. I have reviewed the Complaint and understand that the Plaintiff asserts that the HW Website was not designed, constructed, maintained, and operated to be fully accessible to and independently usable by blind or visually-impaired website visitors.

5. I understand that Plaintiff alleges that the HW Website was intended to be viewed by Plaintiff to shop for jewelry gifts and to locate stores, but alleged unlabeled buttons and links, along with a cursor trap prevented Plaintiff from navigating the HW Website.

6. I am informed that AFA tested the HW Website through June 2018 and reports that the HW Website is WCAG 2.0 AA compliant. AFA furnished a Compliance Certificate which I have examined.

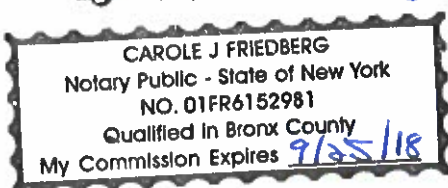
7. I will direct that HWI continues to regularly (i) train employees and agents who develop the HW website and its code on accessibility and compliance with ADA, including to render the HW Website accessible to the blind and visually impaired users who employ screen readers; (ii) check the accessibility of the HW Website to maintain accessibility as required by the ADA; (iii) test end-user accessibility of the HW Website by screen reader users to ensure the HW Website is accessible to blind and visually-impaired users; and (iv) update the HW Website to include an accessibility policy.

8. I direct that such regular training and efforts are regularly implemented and that the HW Website remains WCAG 2.0 AA compliant and fully accessible, both functionally and practically, to the blind and visually impaired, including with all screen readers.

9. HWI of course has a strong interest in making the HW Website available and accessible to all viewers as everybody is a potential customer, and HWI wants the visually impaired to enjoy the same HW Website viewing experience as visitors with no such disability.

Sworn to on 21 June 2018

Carole J. Friedberg
Notary Public



Robert Scott
ROBERT SCOTT